



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

Promoting the wise use of land
Helping build great communities

MEETING DATE December 7, 2015	CONTACT/PHONE Airlin M. Singewald (805) 781-5198 asingewald@co.slo.ca.us	APPLICANT Tracy Ronca	FILE NO. CO 15-0034 SUB2014-00066
SUBJECT A request by TRACY RONCA for a Vesting Tentative Parcel Map (CO15-0034) to subdivide two existing parcels (Parcel A: 5.91 acres; and Parcel B: 6.84 acres) into four new parcels (3.54, 2.37, 2.10, and 4.74 acres in size) for the purpose of sale and/or development. The proposal also includes abandonment of the following rights-of-way shown on Tract 681: Borza Lane, Nopales Road, and Corriente Lane and Choya Court. The project will result in the disturbance of up to four acres of the overall 12.75-acre site. The proposed project is within the Residential Suburban land use category, and is located at 1745 Tiburon Way (Parcel A) and 3790 Sequoia Drive (Parcel B), approximately 1,000 feet northeast of Orcutt Road and the southeastern limit of the City of San Luis Obispo. The site is in the San Luis Obispo sub area of the San Luis Obispo planning area.			
RECOMMENDED ACTION <ol style="list-style-type: none">1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.2. Approve Vesting Tentative Parcel Map CO 15-0034 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 29, 2015 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Public Services and Utilities, Recreation, Transportation and Circulation, Water and Land Use and are included as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Airport Review Area	ASSESSOR PARCEL NUMBER 076-532-026 and 018	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: 22.96.060F.1 – San Luis Obispo Urban Area Standards for the Residential Suburban land use category			
LAND USE ORDINANCE STANDARDS: Superseded by planning area standards			
EXISTING USES: Single family dwellings on each of the existing lots			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/Residences East: Agriculture/Residences South: Residential Suburban/Residences West: Residential Suburban/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Regional Water Quality Control Board, County Parks, CalFire, Airport Manager, City of San Luis Obispo, HEAL SLO, Bicycle Advisory Committee	
TOPOGRAPHY: Nearly level to moderately sloping	VEGETATION: Grasses, ornamentals, riparian
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CalFire	ACCEPTANCE DATE: August 31, 2015

ORDINANCE COMPLIANCE

Minimum Parcel Size

Normally the minimum parcel size for a property designated Residential Suburban is between one and five acres, however, planning area standards for properties within Tract 681 as described in the San Luis Obispo Area Plan require a minimum parcel size of two acres (see discussion below). The proposed parcels meet this requirement, with the smallest one being 2.1 acres in size.

Quimby Act Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Inclusionary Housing Fees

Inclusionary housing standards created under Ordinance 3169 (establishing Land Use Ordinance section 22.12.080) and Ordinance 3171 (establishing Title 29 of the County Code) were adopted by the Board of Supervisors on December 9, 2008. These ordinances are effective as of January 8, 2009. This project will be required to pay inclusionary housing fees for the creation of one new lot. Although the project is creating two new lots, one of the lots is exempt from this requirement.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS

Section 22.96.060F.1 – San Luis Obispo Urban Area Standards for Residential Suburban, Tract 681 – The standards in this section include a minimum parcel size of two acres and a restriction that limits subdivision of existing parcels into only two parcels total. The standards also exclude construction of secondary dwellings. The proposed project, which would split two existing parcels into four new parcels, meets these standards.

COMBINING DESIGNATIONS

Airport Review Area: The project is within the Airport review area for the San Luis Obispo Regional Airport. The project was referred to the Airport Manager, but no comments were received. The County's airport planner found the project consistent with the airport land use plan and recommended a condition be added to the project for an aviation easement to be recorded with the final map. The condition has been added to the project.

ROAD ABANDONMENT

The project proposes to abandon the following rights-of-way shown on Tract 681: Borza Lane, Nopales Road, and Corriente Lane and Choya Court. When Tract 681 was recorded in 1982, this subdivision was considered a likely location for annexation by the City of San Luis Obispo, so Tract 681 recorded rights-of-way for future road alignments to provide for roadways to serve a higher density development similar to the residential single family neighborhoods to the north currently within the City limits. In the thirty years since Tract 681 was recorded, the City of San Luis Obispo has recently annexed property to the west along Orcutt Road and considers the properties within Tract 681 to be part of the City's greenbelt. Since future annexation appears unlikely in the future, the abandonment of the rights-of-way has been part of the majority of the subdivisions processed within Tract 681.

AGENCY REVIEW

Public Works – Recommends conditions for access and improvements, improvement plans, utilities, fees and an additional map sheet

Environmental Health – Notes that there is at least one public well on one of the parcels, which must be mapped, and states that septic systems will need to be installed beyond minimum separation distances. Response also recommends stock conditions for community water and on-site septic, soil testing for the undeveloped parcel, and documentation of any maintenance issues with the existing wastewater system.

The applicant submitted a revised map showing the location of the one public well noted by Environmental Health, and provided email correspondence stating that the existing system has not had any maintenance problems.

The proposed parcel map would create two new vacant parcels (Parcels 2 and 3) that could be developed with new single family homes and accessory structures. Proposed Parcels 1 and 4 are already developed with single family homes and haven't experienced any maintenance issues with their existing septic systems. The proposed parcel map does not show building footprints or future septic system locations on proposed Parcels 2 and 3. The location for future septic systems on Proposed Parcels 2 and 3 would be constrained by the existence of a non-potable well located on Parcel 3 near the boundary with proposed Parcel 2 and the creek that runs along proposed Parcel 3's easterly property boundary. Topography is not a concern since both parcels are gently sloping. While the southeast corner of Parcel 2 is within the 100' well setback area, there would be sufficient area on Parcel 2 for a traditional septic system. Proposed Parcel 3 is more constrained due to the 100' creek setback for septic systems. After accounting for creek and well setbacks, a gently sloping strip of land of approximately 30 to 70 feet wide and 300 feet long would remain available on Parcel 3 for the siting of a septic system. The percolation testing report (Geosolutions, Inc.; October 14, 2015) for proposed Parcel 3

identified percolation rates ranging from 42 to 250 minutes per inch. Based on these percolation rates and the constrained area for siting a septic system, it is possible than an engineered system (e.g. vertical pits) could be required on proposed Parcel 3 to be able to meet Basin Plan / CPC requirements.

CalFire – No significant fire or life safety concerns

City of San Luis Obispo – Project is inconsistent with the City's policies because the property is within City's Greenbelt Area which requires a minimum 20 acre parcel size, open space easements for undeveloped areas, and protection of natural communities.

When Tract 681 was recorded in 1982, the site was within the City of San Luis Obispo Urban Reserve Line and was anticipated to be annexed into the City. The original map showed offers of dedication for proposed street alignments that would connect to existing City streets to the north of the subdivision. County policies were adopted specific to Tract 681 that limited any new parcel size to two acres and limited residential density to one primary residence and a guesthouse, with no secondary dwellings allowed. These County policies will only allow each parcel to be subdivided once and will limit the development potential as described above. These limits on future development will keep large areas of the entire subdivision in open space. No mitigation measures requiring open space easements are being recommended because the project is consistent with adopted County policies.

LEGAL LOT STATUS

The one lot was legally created by a recorded map (Tract 681) at a time when that was a legal method of creating lots.

Staff report prepared by Airlin M. Singewald and reviewed by Terry Wahler, Senior Planner